

**MARGIE L. RICE**  
Mayor

**KERMIT MARSH**  
Mayor Pro Tem

**FRANK G. FRY**  
Council Member

**ANDY QUACH**  
Council Member

**TRI TA**  
Council Member



# **AGENDA**

## **CITY COUNCIL/REDEVELOPMENT AGENCY REGULAR MEETING**

**MARCH 14, 2007**

**6:00 p.m. – Council Conference Room**  
**7:00 p.m. – Council Chambers**

**8200 WESTMINSTER BOULEVARD**  
**WESTMINSTER, CALIFORNIA 92683**

If you need special assistance to participate in this meeting, please contact the City Clerk's office at (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

## **AGENDA INFORMATION**

### **MEETINGS**

Regular Meetings of the City Council/Redevelopment Agency are held the second and fourth Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible.

While in the City Council Chamber, please *turn off* all cellular phones and pagers.

### **AGENDA INFORMATION**

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

### **PUBLIC COMMENTS**

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Consent Calendar portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

**To address the City Council/Redevelopment Agency on any matter**, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

### **AGENDA ON THE INTERNET:**

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

### **TELEVISED MEETING SCHEDULE**

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

### **PUBLIC USE OF COUNCIL CHAMBER EQUIPMENT**

All computer presentations must be e-mailed or provided on a CD-ROM to the City Clerk at least 48 hours prior to the meeting. Items to be displayed on the overhead projector must be submitted to the City Clerk for review prior to use of the equipment.

# **AGENDA**

March 14, 2007

**6:00 P.M.**  
**CLOSED SESSION**

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY  
DURING ANY ITEM TO BE CONSIDERED IN CLOSED SESSION.

## **CALL TO ORDER:**

## **ROLL CALL**

PRESENT:  
ABSENT:

## **CLOSED SESSION:**

The City Council/Redevelopment Agency will recess to a Closed Session for the following purposes:

- 1) Conference with Labor Negotiators pursuant to Government Code Section 54957.6: Designated Representatives: Interim City Manager Andy Hall and Interim Director of Personnel/Risk Management Chris Birch; Employee Organization: Westminster Municipal Employees Association (WMEA)

## **RECESS:**



# **AGENDA**

March 14, 2007

**7:00 P.M.**

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

## **RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**ROLL CALL:** RICE, MARSH, FRY, QUACH, TA

**PRESENT:**

**ABSENT:**

**SALUTE TO FLAG:** Council Member Quach

**INVOCATION:**

## **REPORT OUT OF CLOSED SESSION:**

The City Attorney shall determine if any actions taken by the City Council/Redevelopment Agency in Closed Session shall require a reporting on those actions as required by law (Government Code 54957.1(a) (3) (B)).

## **SPECIAL PRESENTATIONS - None**

- A. Westminster Chamber of Commerce – Report on Upcoming Events
- B. Recognition of the Westminster Chamber of Commerce Board of Directors

# **AGENDA**

March 14, 2007

## **1. CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council/Redevelopment Agency/Public Financing Authority, the public, or staff request specific items be removed from the Consent Calendar for separate action or discussion.

### **APPROVAL OF MINUTES**

- 1.1 (City Council/Redevelopment Agency) Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of February 13, 2007; Minutes of the Regular Meeting of the City Council/Redevelopment Agency of February 14, 2007; and Minutes of the Adjourned Regular Meetings of the City Council/Redevelopment Agency of February 24, 2007 and March 5, 2007. (Marian Contreras)**

RECOMMENDATION: Approve.

### **ROUTINE MATTERS**

- 1.2 Purchase of One-Ton Cutaway Van (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to Fairview Ford Sales, Inc. in the amount of \$21,019.19 to purchase a One-Ton Cutaway Van.

- 1.3 "Covenant and Agreement to Hold As One Parcel" for Two Lots Located at 14181 Frances Street (Approximately 950 feet south of the intersection of Westminster Boulevard and Rancho Road (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council accept the subject document and authorize the City Clerk to record the agreement with the County Recorder's Office.

- 1.4 Amendment No. 1 to Professional Engineering Services Agreement with Norris-Repke to provide engineering design services for Goldenwest Street from Bolsa Avenue to Hazard Avenue; Magnolia Street from Edinger Avenue to the I-405 Freeway; and Trask Avenue from Beach Boulevard to Newland Street. (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve Amendment No. 1 to the professional engineering services agreement with Norris-Repke in an amount not to exceed \$3,500.00, and authorize the Interim City Manager to execute the amendment on behalf of the City.



# **AGENDA**

March 14, 2007

## **1. CONSENT CALENDAR (Continued)**

- 1.5 Amendment No. 1 to Geotechnical Services Maintenance Service Agreement with Geo-Etka, Inc. to Provide Geotechnical Services for Goldenwest Street from Bolsa Avenue to Hazard Avenue; Magnolia Street from Edinger Avenue to the I-405 Freeway; and Trask Avenue from Beach Boulevard to Newland Street. (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve Amendment No. 1 to the Geotechnical Services Maintenance Service Agreement with Geo-Etka, Inc. in an amount not to exceed \$14,400.00, and authorize the Interim City Manager to execute the amendment on behalf of the City.

- 1.6 Fee Waiver Request from American Family Housing to host Thanksgiving Day dinner in the East/West room of the Community Services building on Thanksgiving Day, Thursday, November 22, 2007 from 8:00 a.m. until 3:00 p.m. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the fee-waiver request from American Family Housing as outlined in the fee waiver policy for use of City facilities by Community Groups/Non-Profit organizations.

## **RESOLUTIONS**

- 1.7 Resolution No. 4069 – A Resolution of the Mayor and City Council of the City of Westminster Providing for No Stopping or Standing at Various Locations for Street Sweeping Purposes (Marwan Youssef)**

RECOMMENDATION: Approve.

## **ADMINISTRATIVE ITEMS**

- 1.8 Special Event Permit application from the Vietnamese American Community of Southern California (VACSC) to hold a Black April Commemoration Ceremony on Saturday, April 28, 2007 between the hours of 8:00 a.m. and 9:00 p.m. (includes set up and clean up times). The event will take place at Sid Goldstein Freedom Park, 14180 All American Way. Applicant estimates the attendance will be 1000 people. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the Special Event Permit application subject to conditions attached to the staff report.

# **AGENDA**

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## **1. CONSENT CALENDAR (Continued)**

- 1.9 Special Event Permit application from the Vietnam War Memorial Committee to hold a Memorial Ceremony on Sunday, April 29, 2007 between the hours of 7:00 a.m. and 8:00 p.m. (Includes set up and clean up times). The event will take place at Sid Goldstein Freedom Park, 14180 All American Way. Applicant estimates the attendance will be 500 people. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the Special Event Permit application subject to the conditions attached to the staff report.

- 1.10 Special Event Permit application from the King Hung Oversea Association to hold a ceremony and concert on Sunday, April 22, 2007 between the hours of 8:00 a.m. and 5:00 p.m. The event will take place at the City Hall Parking lot. Applicant estimates the attendance will be 200 people. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the Special Event Permit application subject to the conditions attached to the staff report.

### **WARRANT REGISTER**

- 1.11 (City Council/Redevelopment Agency) Warrant Register dated February 21 through March 6, 2007 (Paul Espinoza)**

RECOMMENDATION: Approve.

### **INFORMATION AND REPORTS**

- 1.12 Minutes of the Planning Commission meeting held February 7, 2007 (Don Anderson)**

RECOMMENDATION: Receive and file.

- 1.13 Community Development Monthly Activity Report – February 2007 (Don Anderson)**

RECOMMENDATION: Receive and file.

### **END OF CONSENT CALENDAR**

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# **AGENDA**

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## **2. ORAL COMMUNICATIONS**

At this time members of the public may address the City Council/Redevelopment Agency regarding any items of interest not on the agenda that are within the subject matter jurisdiction of the City Council. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

## **3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW**

### **3.1 The actions of the Planning Commission meeting held on March 7, 2007**

RECOMMENDATION: That the City Council determine if they wish to call up the item for review from the Planning Commission meeting of March 7, 2007.

- 1) Case 2006-54 Conditional Use Permit for on-sale of beer and wine (type 41 ABC license) in conjunction with an existing restaurant (Rockin' Crawfish). Location 9211 Bolsa Avenue #120-121.

## **4. PUBLIC HEARINGS**

**ADDRESSING THE CITY COUNCIL DURING PUBLIC HEARINGS:** After the public hearing is opened, persons speaking in favor will be heard first, followed by those persons speaking in opposition; and then persons speaking in rebuttal. Only those persons who have spoken in favor will be permitted to speak in rebuttal.

If a spokesperson is designated to speak in favor or in opposition, that spokesperson will have twelve (12) minutes to speak. Thereafter, each person speaking in favor or in opposition will have three (3) minutes to speak. The total time for speaking in favor or in opposition shall not exceed 30 minutes. Those persons speaking in rebuttal will have three minutes each, or a total of 20 minutes for rebuttal. The City Council may use its discretion to allow a speaker to exceed time limits.

**NOTE:** If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.



# **AGENDA**

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## **4. PUBLIC HEARINGS (Continued)**

### **4.1 REVIEW OF PLANNING COMMISSION APPROVAL OF CASE NO. 2006-103 (SITE PLAN, DESIGN REVIEW) TO ESTABLISH AND OPERATE A COFFEE KIOSK. LOCATION: 15221 BEACH BOULEVARD. APPLICANT: DEBBIE EDWARDS. PROPERTY OWNER: PEP BOYS AUTO GROUP. (Steve Ratkay)**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4067 entitled "A Resolution of the Mayor and City Council of the City of Westminster approving Case No. 2006-103 pertaining to a Site Plan and Design Review for the installation and operation of a 288-square foot drive-through coffee kiosk located at 15221 Beach Boulevard" and waive further reading.

## **5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS**

### **5.1 Council/Agency Member Items**

### **5.2 AB 1234 Reports – None**

## **6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR**

### **6.1 (Agency) Disposition and Development Agreement for Construction of Workforce Housing on Proposed Site at 280 Hospital Circle (Kathy Johnston)**

RECOMMENDATION: Staff recommends that the Agency Board Members authorize staff to prepare a Disposition and Development Agreement subject to Agency approval with AMCAL Multihousing.

### **6.2 (City/Agency) Redevelopment Agency Funding of a New Building for the Greater Westminster Chamber of Commerce (Don Anderson)**

RECOMMENDATION: Staff recommends that the Mayor/Chair and Council/Agency Board authorize staff to proceed with the preparation of the preliminary documents subject to City/Agency approval that will allow the Agency to pay for the demolition of the existing building and construction of a new building.

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## **6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR (Continued)**

### **6.3 Membership in Southern California Association of Governments (Tami Piscotty)**

RECOMMENDATION: Staff recommends that the Mayor and City Council consider joining the Southern California Association of Governments (SCAG), direct staff to return with the Joint Powers Agreement necessary to join, and authorize an expenditure of \$7,893 for dues for membership.

### **6.4 (City/Agency) Consideration of an alternative date for the Regular Council/Agency meeting of Wednesday, May 23, 2007. (Marian Contreras)**

RECOMMENDATION: Staff recommends that the Mayor/Chair and City Council/Agency Board consider an alternative meeting date for the May 23<sup>rd</sup> regularly scheduled meeting.

### **6.5 Purchase of Police Department Tactical Response/Special Service Vehicle (Mitch Waller)**

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve a purchase order to Villa Ford in the amount of \$27,750.33 to purchase one full-size Sport Utility Vehicle;
- 2) Approve a revenue increase to the fiscal year 2006-07 budget for the State of California, Office of Homeland Security Grant in the amount of \$35,250.33 for the purchase of the vehicle (\$27,750.33) and related safety/emergency equipment including emergency lighting and siren (\$7,500); and
- 3) Approve an appropriation of \$27,750.33 – vehicle purchase and \$7,500 – emergency equipment) to the Equipment Replacement Fund – Motor Pool Account.

### **6.6 Request from Vietnamese American Community of Southern California for the City to install the Vietnamese Heritage Flags and American Flags in Westminster (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council deny the groups request for City funds to install the flags on street light poles, but allow the group to pay the fees to coordinate the project with the City's current banner installation company.

# **AGENDA**

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## **6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR (Continued)**

### **6.7 Professional Services Agreement for Ambulance Transportation Services (Paul Espinoza)**

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve an agreement with Shoreline Ambulance in an amount not to exceed \$149,853 for the period of March 15, 2007 through June 30, 2007; and
- 2) Authorize an appropriation of \$100,000 to Ambulance Transportation Services – Contractual Other.

## **7. WRITTEN COMMUNICATIONS (Public) – None**

## **8. LEGISLATIVE ITEMS – None**

## **9. COMMISSION AND COMMITTEE ITEMS**

### **9.1 Appointments to the City's Energy Committee (Marian Contreras)**

RECOMMENDATION: Staff recommends that the Mayor and City Council each nominate one member to serve on the Energy Committee.

### **9.2 Appointments to Commissions and Committees- (deferred from the February 28, 2007 meeting) (Marian Contreras)**

<b>Commission/Committee</b>	<b>Appointee</b>
Area Variance Committee (1 Alt. Member)	At Large Appointment
Commission on Aging (2 Alt. Members)	At Large Appointment
Cultural Arts Commission	Mayor Pro Tem Marsh (1) Reg., Mayor Pro Tem Marsh (1) Alt. Council Member Fry ((1) Alt.
Financial Review Committee	Council Member Fry (1) Council Member Quach (2)
Mobile Home Commission	Mobile Home Park Tenants/ Residents of Westminster (2)



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## 9. COMMISSION AND COMMITTEE ITEMS (Continued)

### 9.3 Commission and Committee Orientation (Marian Contreras)

RECOMMENDATION: Staff recommends that the Mayor and City Council select one of the following dates and times for the Commission and Committee Members Orientation Meeting.

Monday, April 23, 2007	6 p.m.	Westminster Rose Center
Thursday, April 26, 2007	6 p.m.	Westminster Rose Center
Monday, April 30, 2007	6 p.m.	Westminster Rose Center

## 10. COUNCIL/AGENCY ADJOURNMENT

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.

  
Marian Contreras, City Clerk/Agency Secretary